



EDMUND G. BROWN JR.  
GOVERNOR



MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

**State Water Resources Control Board**  
Division of Drinking Water

September 19, 2016

Certified Mail  
7012 3460 0003 1112 8182

Patrick Minturn, Director of Public Works  
Shasta CSA – French Gulch, #11  
1855 Placer Street  
Redding, CA 96001

TRANSMITTAL OF CITATION NO. 01-02-16C-019

Dear Mr. Minturn,

The State Water Resources Control Board, Division of Drinking Water, has issued the Shasta CSA – French Gulch, #11 a citation, which is attached.

If you have any questions regarding this matter, please call staff engineer Steve Watson at (530) 224-4828 or me at (530) 224-4800.

Sincerely,

A handwritten signature in black ink, reading "Michael J. McNamara".

Michael J. McNamara, P.E.  
Lassen District Engineer  
Drinking Water Field Operations Branch

cc: Richard L. Hinrichs, Chief, Northern California Section

Enclosure

sww \ 4500317 Shasta CSA – French Gulch, #11 \ File: Enforcement

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

364 Knollcrest Drive, Suite 101, Redding, CA 96002 | [www.waterboards.ca.gov](http://www.waterboards.ca.gov)

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**Attn:** Patrick Minturn, Shasta County Director of Public Works

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No. 11 – French Gulch (hereinafter, CSA) (1855 Placer Street, Redding, CA 96001) for violation of California Code of Regulations (CCR), Title 22, Section 64534 subsection (f) and (g).

#### **APPLICABLE AUTHORITIES**

##### **Section 116650 of California Health and Safety Code provides:**

(a) If the department determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the department may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.

(b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.

(c) A citation may specify a date for elimination or correction of the condition constituting the violation.

(d) A citation may include the assessment of a penalty as specified in subdivision (e).

(e) The department may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation.



1 **California Code of Regulations, Title 22, Section 64534, subsections (f) and (g) provides**  
2 **in relevant part:**

3 (f) Systems that fail to monitor shall be in violation of the monitoring requirements for  
4 the entire monitoring period that a monitoring result would be used in calculating  
5 compliance with MCLs or MRDLs, and shall notify the public pursuant to sections  
6 64463, 64463.7, and 64465, in addition to reporting to the State Board pursuant to  
7 sections 64537 through 64537.6.

8  
9 (g) Systems that fail to monitor in accordance with the monitoring plan required by  
10 section 64534.8 shall be in violation of the monitoring requirements, and shall notify  
11 the public pursuant to sections 64463, 64463.7, and 64465, in addition to reporting to  
12 the Department pursuant to sections 64537 through 64537.6.

13  
14 **California Code of Regulations, Title 22, Section 64534.8, subsections (a) provides in**  
15 **relevant part:**

16  
17 (a) A system shall develop and submit to the State Board a monitoring plan. The  
18 system shall implement the plan after State Board review and approval. The system  
19 shall maintain the plan and make it available for inspection by the general public no  
20 later than 30 days following the applicable compliance date in sections 64530(a) or  
21 (b), and (d).

22  
23 **California Code of Regulations, Title 22, Section 64535.2, subsections (b)(1) provides in**  
24 **relevant part:**

25  
26 (b) TTHM and HAA5 MCL compliance, as monitored pursuant to section 64534.2(a),  
27 shall be determined as follows:

1 For systems monitoring quarterly, the running annual arithmetic average, computed  
2 quarterly, of quarterly arithmetic averages of all samples collected pursuant to  
3 section 64534.2(a) shall not exceed the MCLs specified in section 64533;  
4

5 **STATEMENT OF FACTS**  
6

7 The Shasta County Department of Public Works operates the CSA to serve the community of  
8 French Gulch. There are 84 service connections that serve a population of approximately 277.  
9 The water system includes a surface water treatment plant that filters and disinfects water from  
10 Clear Creek.  
11

12 On December 15, 2016, the Division received an acceptable Disinfection Byproduct (DBP)  
13 Compliance Monitoring Plan (Plan) from the CSA that identified two DBP sample sites: Tailings  
14 Street and French Gulch; both sites being located with an attached map. According to the Plan,  
15 these two sites are to be sampled each calendar quarter and analyzed for total trihalomethanes  
16 (TTHM) and haloacetic acids (HAA5).  
17

18 During the second calendar quarter of 2016 the CSA sampled from two locations not on their  
19 approved Plan, identified as: "Trinity Mt Road End of Line" and "Trinity Mt Road Trailer Park."  
20

21 **DETERMINATIONS**  
22

23 The Division has determined that the CSA violated Section 64534 (f) and (g), Title 22 of the  
24 CCR, during the second calendar quarter of 2016, in that the CSA failed to monitor for DBPs at  
25 the proper locations in accordance with their accepted Plan dated November 24, 2015.  
26

27 **DIRECTIVES**

1  
2 The CSA is hereby directed to take the following actions:

- 3
- 4 1. The CSA shall submit to the Division, by **October 14, 2016**, a Corrective Action Plan to
- 5 achieve compliance with the relevant sections of the California Code of Regulations,
- 6 described in the findings above.
- 7
- 8 2. Within 30 days of the issuance of this Citation but in no case later than
- 9 **November 1, 2016**, notify all persons served by the CSA of the monitoring violation as
- 10 required by Section 64463, 64463.7 and Section 64465, Title 22, of the CCR.
- 11 Notification shall be completed in accordance with each of the following:
- 12 a. Mail or direct delivery of the notice contained in Attachment 'A' to each customer,
- 13 and
- 14 b. Posting in conspicuous public places within the service area or on the internet to
- 15 reach persons not likely to be reached by mailing or direct delivery.
- 16 Changes and/or modifications to Attachment 'A' shall not be made unless approved by
- 17 the division.
- 18
- 19 3. Complete and return Attachment 'B' entitled "Compliance Certification" by
- 20 **November 1, 2016**. A copy of the notices used to provide public notification shall be
- 21 attached to the form.
- 22
- 23 4. The CSA shall initiate quarterly monitoring of disinfection byproducts by no later than
- 24 **September 30, 2016**, in accordance with the approved disinfection byproduct monitoring
- 25 plan from November 24, 2015.
- 26

1 Unless otherwise noted, all documents required under this Citation shall be submitted to the  
2 Board at the following address:

3  
4 Michael J. McNamara, P. E.  
5 Lassen District Engineer  
6 Division of Drinking Water  
7 State Water Resources Control Board  
8 364 Knollcrest Drive, Suite 101  
9 Redding, CA 96002

10  
11 As used in this Citation, the date of issuance shall be the date of this Citation; and the date of  
12 service shall be the date of service of this Citation, personal or by certified mail, on the Water  
13 System.

14  
15 Nothing in this Citation relieves the CSA of its obligation to meet the requirements of the  
16 California SDWA or any regulation, permit, standard or order issued or adopted thereunder.  
17 The Division reserves the right to make such modifications to this Citation, as it may deem  
18 necessary to protect public health and safety. Such modifications may be issued as  
19 amendments to this Citation and shall be effective upon issuance.

20  
21 **FURTHER ENFORCEMENT ACTION**

22  
23 The California SDWA authorizes the Board to: issue a citation with assessment of administrative  
24 penalties to a public water system for violation or continued violation of the requirements of the  
25 California SDWA or any regulation, permit, standard, citation, or order issued or adopted  
26 thereunder including, but not limited to, failure to correct a violation identified in a citation or  
27 compliance order. The California SDWA also authorizes the Board to take action to suspend or  
28 revoke a permit that has been issued to a public water system if the system has violated  
29 applicable law or regulations or has failed to comply with an order of the Board; and to petition

the superior court to take various enforcement measures against a public water system that has failed to comply with or violates an order of the Board. The Board does not waive any further enforcement action by issuance of this citation.

### **PARTIES BOUND**

This Citation shall apply to and be binding upon the CSA, its officers, directors, shareholders, agents, employees, contractors, successors, and assignees.

### **SEVERABILITY**

The Directives of this Citation are severable, and the CSA shall comply with each and every provision thereof, notwithstanding the effectiveness of any other provision.

9-19-2016

Michael J. McNamara

Date

Michael J. McNamara, P.E.

Lassen District Engineer

Division of Drinking Water

State Water Resources Control Board

Attachments:

'A' Public Notification Template

'B' Compliance Certification

CERTIFIED MAIL 7012 3460 0003 1112 8182





**IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER**

Este informe contiene información muy importante sobre su agua potable.

Tradúzcalo o hable con alguien que lo entienda bien.

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**Monitoring Requirements not met for  
Shasta County Service Area #11 – French Gulch**

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Our water system failed to monitor drinking water in accordance with Drinking Water regulations. Although this is not an emergency, as our customers, you have a right to know what you should do, what happened, and what we did to correct this situation.

We routinely monitor for drinking water contaminants. The CSA is required to monitor for total trihalomethanes (TTHMs) and haloacetic acids (HAA5s) quarterly at locations in the distribution system. TTHMs and HAA5s are chlorine disinfection byproducts. In compliance with the monitoring regulations regarding disinfection byproducts, we have a monitoring plan which identifies four locations to be sampled each calendar quarter for these disinfection byproducts. While we have conducted routine monitoring for these contaminants in the distribution system, we have not consistently collected samples from the proper locations from the distribution system, according to our plan. Therefore, we have violated monitoring requirements during the second calendar quarter of 2016.

**Additional Information**

The table below lists the contaminant(s) we did not properly test for during 2Q2016.

Contaminant	Required sampling frequency
TTHMs HAA5s	Quarterly

To protect drinking water from disease-causing organisms, or pathogens, water suppliers often add disinfectants, such as chlorine to drinking water. Disinfection byproducts are formed during the treatment of drinking water when disinfectants react with naturally-occurring organic and inorganic matter present in the water. Certain disinfection byproducts, including some TTHMs, and some HAA5s, have been shown to cause cancer in laboratory animals. Other disinfection byproducts have been shown to affect the liver and the nervous system, and cause reproductive or developmental effects in laboratory animals. Exposure to certain disinfection byproducts may produce similar effects in people. Therefore, the Division of Drinking Water has set standards to limit exposure to TTHM and HAA5 chemicals.

**What should I do?**

There is nothing you need to do at this time. We are implementing procedures to ensure that future sampling is conducted according to our approved monitoring plan.

**For more information please contact:**

Scott Sealander, Shasta County Public Works

(530) 225-5571

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*This notice is being provided to you by Shasta County Service Area No. 11 – French Gulch in compliance with the California Code of Regulations as a means of keeping the public informed.*

## COMPLIANCE CERTIFICATION

Citation Number: **01-02-16C-019**

Name of Water System: **Shasta CSA – French Gulch, #11**

System Number: **4500317**

As required by Section 116450 of the California Health and Safety Code, I certify that the users of the water supplied by this water system were notified of the Disinfection By-Products monitoring violations during the second calendar quarter of 2016. In addition, I certify that the CSA has complied with the directives of this citation as indicated below:

<u>Required Action</u>	<u>Date Completed</u>
Corrective Action Plan, as required by Directive 1	_____
Public Notification, as required by Directive 2	_____
Initiate quarterly monitoring as required by Directive 3	_____
_____	_____
Signature of Water System Representative	Date

**Attach a copy of the direct delivery notice.**

<p><b>THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT NO LATER THAN November 1, 2016.</b></p>
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**Disclosure:** Be advised that Section 116725 and 116730 of the California Health and Safety Code states that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation for each day that violation continues. In addition, the violators may be prosecuted in criminal court and upon conviction, be punished by a fine of not more than \$25,000 for each day of violation, or be imprisoned in county jail not to exceed one year, or by both the fine and imprisonment.